

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

Amendment No. 9 to HB1131

**Sands
Signature of Sponsor**

AMEND Senate Bill No. 887*

House Bill No. 1131

In Section 8, as amended, by deleting subsection (c) in its entirety and substituting the following:

(c)

(1) A denial by the local board of education of an application to establish a public charter school may be appealed by the sponsor, within fifteen (15) days of the final decision to deny, to the state board of education.

(2) The decision by the local board of education shall be presumed to be valid and shall be upheld by the state board of education unless the sponsor shows by a preponderance of the evidence that the decision was made by the local board either in bad faith or in an arbitrary and capricious manner.

(3) The review by the state board of education shall be limited to the record of the proceedings before the local board.

(4) To facilitate any potential review, the local board of education shall have the proceeding on each application for a charter school recorded and a transcript prepared if the local board's decision is appealed.

(5) If the state board finds that the local board's decision was reached in bad faith or in an arbitrary or capricious manner, then the state board shall remand such decision to the local board of education with written instructions for approval of the charter. The decision of the state board shall be final and not subject to appeal.